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## PROOF OF SERVICE BY E-MAIL AND FACSIMILE TRANSMISSION

I, the undersigned declare that I am over the age of eighteen years and not a party to the within action. My business address is Shearman & Sterling LLP, 525 Market Street, San Francisco, California 94105, which is in the county where the transmission described below took place.

On February 7, 2008, I served the following document(s) entitled:

JOINDER OF NON-PARTY KENNETH LEVY IN NON-PARTIES KLA-TENCOR CORPORATION'S AND JOHN KISPERT'S MOTION FOR PROTECTIVE ORDER RE: DEPOSITIONS OF CURRENT AND FORMER KLA WITNESSES

| X | by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date.  |  |
|---|--|--|
|   | by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.            |  |
|   | by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal Express agent for delivery. |  |
|   | I caused the envelope(s) with the document(s) listed above to be delivered by hand to the addressee(s) noted below.  |  |
| X | by transmitting via e-mail the document(s) listed above to the person(s) at the address(es) set forth below.   |  |

| Parties   | Represent                                    | Service      |
|---|--|--------------|
| Liwen Mah, Esq.<br>Fenwick & West LLP<br>555 California Street, 12th Floor<br>San Francisco, CA 94104<br>T: 415.875.2300 / F: 415.281.1350<br>mah@fenwick.com   | Attorneys for Defendant<br>Ned Barnholt      | E-Mail & Fax |
| Walter F. Brown, Esq. Robert P. Varian, Esq. ORRICK HERRINGTON, et al. 405 Howard Street The Orrick Building San Francisco, CA 94105 T: 415.773.5700/F: 415.773.5759 wbrown@orrick.com rvarian@orrick.com | Attorneys for Defendant<br>Gary E. Dickerson | E-Mail & Fax |

| 1  | Parties  | Represent                                   | Service      |  |  |
|----|--|---|--------------|--|--|
| 2  | Lanelle Meidan, Esq.SKADDEN,<br>ARPS, SLATE, MEAGHER &   | Attorneys for Defendant<br>Elizabeth Harlan | E-Mail & Fax |  |  |
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| 6  | Craig D. Martin, Esq.  | Attorneys for Defendant                     | E-Mail & Fax |  |  |
| 7  | MORRISON & FOERSTER 425 Market Street  | John Kispert                                |              |  |  |
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| 10 | K.C. Allan Waldron, Esq.<br>MORRISON & FOERSTER  | Attorneys for Defendant<br>John Kispert     | E-Mail & Fax |  |  |
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| 13 | kewaldron@mofo.com   |   |              |  |  |
| 14 | I declare that I am employed in the office of a member of the Bar of this Court at   |   |              |  |  |
| 15 | whose direction the service was made.  |   |              |  |  |
| 16 | I declare under penalty of perjury, under the laws of the State of California and the United States of America that the foregoing is true and correct. |   |              |  |  |

Executed on February 7, 2008, at San Francisco, California.

Marie I. Aquino